

 **NRPC APPROVED MINUTES**
NRPC ENERGY FACILITIES ADVISORY COMMITTEE MEETING
03/27/15

Members Present:

Tad Putney, Town Administrator - Brookline
Kat McGhee, Hollis Pipeline Impact Study Taskforce
Tom Young, Town of Litchfield
Steve Wells, Mason
Tim Thompson, Town of Merrimack
Mark Bender, Town Administrator - Milford
Sarah Marchant, City of Nashua

Hal Lynde, Town of Pelham
Kermit Williams, Town of Wilton

Others Present

David Beach, Amherst
Gene Porter, LMRLAC
Emily Cashman, Senator Shaheen's Office

STAFF PRESENT

Tim Roache, MPO Coordinator Sara Siskavich, GIS Manager Karen Baker, Program Assistant

CALL TO ORDER

Williams called the meeting to order at 2:11pm.

PRIVILEGE OF THE FLOOR

Williams asked if anyone present from the public wished to speak. Gene Porter, Chair of the Lower Merrimack Local Advisory Committee (LMRLAC) introduced himself. He informed the group that the LMRLAC is taking no position on the pipeline they just want to make sure if it happens, it is done correctly. He also informed the group of a meeting he attended in public meeting in Merrimack with Kinder Morgan (KM) where about 300 people attended. He said it was very courteous until they started talking about incineration zones. He said the meeting got cut off before he was able to make his comments.

David Beach from Amherst attended the public meeting held in Amherst the previous week. He said the Selectmen posted their comments the day after to FERC expressing their unhappiness about the chosen routes.

APPROVAL OF THE MINUTES OF MARCH 13, 2015

Roache asked if there were any comments or changes to the draft EFAC minutes from March 13, 2015 meeting. McGhee asked that "adding that all electricity is private" be stricken from the first sentence under Demand & Need Analysis as the phrase did not add anything to the sentence and that it may have been taken out of context. Lynde asked for future minutes that acronyms be spelled out for their first time use, referring specifically to AECOM. McGhee motioned to approve the minutes of March 13, 2015 with a second from Thompson. All were in favor with one abstention. **NOTE: AECOM stands for - architecture, engineering, construction, operations, and management**

PERTINENT LOCAL TASK FORCE AND WORKGROUPS UPDATES

Roache asked that if there are specific groups and/or taskforces relating to the pipeline in the towns to please send that information along to him. Bender referred to the Milford group that meets weekly and takes a similar approach to EFAC with tasks assigned. At their last meeting they had a good discussion on eminent domain. He referred to a Massachusetts article on this of which he sent to Siskavich to put in the Dropbox.

McGhee referred to a methodology study guide on ecology that was pulled together from different contacts within the towns along the route that counsel said she could share. She also referred to a recent Senate hearing with KM that Hollis attended had good attorney testimony, was very well attended and a lot of issues were raised. Young said that the Senators requested no eminent domain in NH and KM said they would try. Williams clarified that they said they would try to route around. He also referred to a bill coming regarding buffers with right of way (ROW).

Roache said the NH Association of Conservation Commissions (NHACC) asked for maps from NRPC. Roache expressed that he was unsure if town conservation commissions always aligned with their respective selectboards. He said that what NRPC submits to AECOM will be shared with the NHACC.

UPDATE ON IMPACTS DATA GATHERING

Environmental (NRPC)

Siskavich informed the group that NRPC did receive the same letter that the towns received from AECOM. She added that NRPC requested mile posts of which AECOM sent. NRPC will do a GIS analysis for each town and hold conferences with those along the route to review them. She came up with an estimate of 100 hours to complete the work. Siskavich informed the group that Southwest RPC is also in the same boat with the pipeline, but they are a few steps behind, but our responses to AECOM will be consistent. She added that the route does not go through Wilton, but the buffer creeps over the town line. Roache said that he had heard from everyone except Mason. He added that Merrimack responded already, and Amherst is not sure, but NRPC will create a response on their behalf for town review. Siskavich informed the group of the 95 conservation parcels that would be impacted.

Construction Impacts (Mark Bender, Tom Young)

Bender said he followed up with KM representatives regarding construction impacts, who said they would have a response to him by today, but has not heard back. He added that he and Young will review the response once in hand and boil it down to a meaningful list. Bender said in regards to resizing of the pipeline, right now, it is all talk and in his discussions with KM it would be a 30 to 36inch pipe. He added that Liberty Utilities is the second largest distributor to distribution companies, currently at 5%. There was further discussion on pipeline sizes, gas distribution and companies. Lynde commented that they will start with a 30inch pipe and if they can get to a 36inch based on demand, they will. Young said he started asking the questions about drilling and blasting and he has the information. He has a construction meeting next week and he will replace that file after his meeting. McGhee said that at the Amherst meeting, KM said the gas shut-offs would be between 8 and 20 miles.

Economic Impacts (Sarah Marchant, Tad Putney)

Putney said he and Marchant looked at 3 buckets:

- 1) Revenue to Towns;
- 2) Property Owner Valuation Impacts; and
- 3) Emergency Response.

Putney passed around information from KM on the estimated revenue to towns. He showed this to the Brookline Town Assessor and was informed that KM uses the Department of Revenue Administration (DRA) method. Brookline uses AVITAR Assessors software which initially shows the numbers are not too far off, but over time they would be different because KM depreciates the values. Williams felt this could cause lawsuits in the future. Putney passed around a summary of a 1991 Hudson tax abatement case with the Tennessee Gas Pipeline (TGP) and reviewed with group. Hudson hired a utility valuation specialist George Sansoucy and after 2 appeals TGP lost the case. Putney reached out to Sansoucy for a future meeting. Lynde said that DRA uses the lowest value for utilities method. When asked how the current properties with pipeline are valued now Lynde said according to the Pelham assessors, there is no difference in value to properties with pipeline going through them. Marchant said she got the same answer from Londonderry Assessors regarding depreciation values. Wells commented that timing is the factor. It's an emotional issue and is not factual to begin with. There was further discussion on assessor values and depreciation town by town. Roache said it would be good to get information from Pelham and Hudson on the impacts and how long the pipelines have been there. There was a question on how long the short term impact is of a pipeline. Beach said it reduces the available buyers to you and the time on the market goes up. Putney said the upside is that sometimes it sells quickly due to the trail access.

Marchant reported on the safety piece. She talked to a Nashua Fire Station to get information on gas related issues since 2008. She said it would be good if all towns could get this information to compare. She only had a concern with the gas/utility codes not being the same. The information she gathered had quantity of and cost of responses. Putney asked if this was just for underground pipes. Marchant said she talked to Justin Kates, Nashua Emergency Response Director and he said it would be the same response for surrounding communities. Young said in relation to the gas related responses, they should be separated out by distribution and supply line. Marchant said they should be coded differently. Williams commented on the lines going to the houses being the big issue for firefighters. Porter asked if KM is willing to finance special equipment or provide money for maintenance and mitigation to be responsive to these big distribution pipes. Marchant felt this would be a town by town question. Lynde felt there needs to be a protocol.

Historic (Tim Thompson & Hal Lynde)

Thompson said he had a list of the state historic markers along the corridor of the pipeline route within ¼ mile + or -. Lynde said he would be getting information on historic district commissions and contacts. A member asked if there were locally designated roads or scenic highways. Siskavich said there were.

Infrastructure and Safety Impacts (Eric Hahn & Elvis Dhima)

Dhima was not present to report out but sent an email to Siskavich who reviewed with the group the K&M response regarding safety and existing pipeline transmission:

Q: Any reported incidents for the Concord Lateral?

A: There have been no reported incidents for the Concord Lateral nor the Nashua Lateral.

Q: Size of existing pipe through Hudson?

A: The “270B-500 Nashua Lateral” is located within the town of Hudson. It is an 8” diameter pipeline that interconnects with the larger Concord Laterals which runs south to north just east of the town of Hudson.

Also Hudson assessors records confirmed that its 8” not 24” diameter pipeline. There was one valve burp at the station but not along the transmission line. Lastly, safety data matches with the Hudson Fire Department data, no reported incidents.

Demand & Need Analysis (Kat McGhee & Steve Wells)

The decision-making process for establishing “Need” for energy projects and how the case for need is met.

- Upon completion of Environmental Impact Study FERC issues Certificate of Public Convenience & Necessity which allows Gas Co. to proceed with procurement of land along route (process supports eminent domain).
- State & regional agencies involved in regulation and measurement of energy markets, sources, targets set.
- Further investigation necessary for how natural gas will be used for commercial and industrial gas needs.
- Residential gas needs – NH demand low but changes if home heating conversions increase (oil/propane).
- Electric power generation needs added to the mix due to closings of coal & nuclear power plants.
- Independent System Operators of New England (ISO/NE) responsible for the measurement and regulation of New England’s energy markets.
 - Placed call to Gregory Wade, External Affairs Liason at ISO/NE to set up meeting to gather more insight on the need.

McGhee Reviewed NH State Regulations on the NH Site Evaluation Committee for Energy Facilities. SB245 changed makeup and scope as of 2014. Body looks out for public interest and under language may also be

in a position to comment or advocate for the people of NH if the project proves to be less benefit to the state than it is to the private companies who are advocating for it. Lastly, Liberty Utilities is currently the sole NH distribution company, committing to 5% of the NED Pipelines projected capacity. Open question still remains if beginning and end point of transmission line is in MA, what is the rationale for siting it in NH and disrupting 17 rural towns.

Williams said Mason can get gas, what is the reaction. Wells said there is no discussion, it's very emotional and Mason is very against it. Hal commented that KM is not the retailer, Liberty is and there is going to be a reasonable need. Putney asked about the KM pipeline vs the Spectra pipeline. McGhee said capacity and supply and demand are being looked at. There was further discussion on supply and demand. McGhee said they can look at the bigger picture after they see what ISO/NE says.

TEMPLATE FOR COMPILATION OF DATA GATHERING

Siskavich reviewed the template onscreen for compiling data that would be used to provide a report to the Commission. Williams emphasized getting the categories filled out ASAP which would be in the Dropbox. There was discussion on whether a spreadsheet with tabs for each category would be a better option.

DISCUSSION AND OUTLINE OF DELIVERABLE TO COMMISSION

Roache asked the group what type of approach they should take when providing the final deliverable to the Commission. He added that it should be relatively simple or people won't read it. McGhee suggested an Executive Summary which is what Hollis did. Roache was thinking a white paper. Marchant asked if they even needed to do a report, to maybe organize it on the website and NRPC can give comments to the site selection committee. Williams felt more than a website was needed and was for an Executive Summary or a 3 page report. There was further discussion on the approach to take. A preliminary outline would be available at the next meeting.

MERRIMACK VALLEY RELIABILITY (MVR) PROJECT UPDATE

Roache informed the EFAC that a consultant team came to NRPC to discuss the powerline project that will involve a 345kV line that will be added and run through Hudson, Pelham and Londonderry to improve submission on the grid. This line will fill 400 feet of ROW. This is where the KM pipeline is proposed to go. He added that there is no clear indication but speculation that there is a chance that the TGP may be bumped into other properties. MVR is filing with the SEC in June with open houses and then a series of meetings including scoping meetings. NRPC will be tracking the docket.

There was discussion on proposed alternative routes for the pipeline from other communities and that it would be useful if a good alternative was proposed between the communities. Roache said other committees are welcome to come to the EFAC meetings. Lynde said there are several groups independently working on this and also a petition against the pipeline with about 400 signatures. Bender felt this would be a great opportunity to work together. In regards to town-affiliated groups attempting to propose their own alternative pipeline routes, they have to be careful about shifting impacts to other residents within towns, and possibly creating more impacts than exist with the current route. McGhee referred to Beaver Brook who hired an engineer to come up with an alternative route and how you can't propose an alternate route unless you have a qualified engineer. There was further discussion on impacts to different resources within the towns when coming up with alternative routes.

Roache encouraged towns to share information. Homework would be talked about at the next meeting.

NEXT MEETING

Motion to Adjourn came from Bender with a second from Porter. The meeting ended at 3:43pm. The next meeting will be held on Friday, April 10th, 2015 from 2:00-3:30pm.